

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION**

TEMPUR-PEDIC INTERNATIONAL, INC.

PLAINTIFF

v.

NO. 07-CV-2015-RTD

WASTE TO CHARITY, INC., ET AL

DEFENDANT

ORDER

This matter came on for hearing before this court on October 7, 2013 on the motion of Tempur-Pedic for an order reducing the bond for mattresses located in a Booneville storage facility ordered on March 28, 2007 and re-ordered on December 9, 2010, pursuant to Fed. R. Civ. P., 65(c) from \$500,000 to \$222,875. Edward F. Maluf appeared as attorney for applicant, along with Brandon B. Cate for Close Out Surplus Savings, Inc. (CSS) and Rex W. Chronister for Broco Supply, Inc.

Having read and considered the application and having heard the oral arguments of counsel, and for the reasons stated in the hearing, it is ordered that:

1. The bond be reduced from \$500,000 to \$455,000
2. Tempur-Pedic give and file a new bond in the principal sum of \$455,000.

IT IS SO ORDERED this 7th day of October, 2013.

/s/ J. Marschewski

HONORABLE JAMES R. MARSCHEWSKI
Chief United States Magistrate Judge